

## REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1, 4, 7, and 10-11 have been amended. Claims 1-11 are pending and under consideration.

Applicants have timely filed a Request for Continued Examination (RCE) along with this Amendment, including the filing fee as set forth in 37 CFR 1.17(e). Accordingly, Applicants respectfully request that the Examiner withdraw the finality of any Office action and enter this Amendment for consideration under 37 CFR 1.114.

### Claim Rejections

Claims 1-11 stand rejected under the second paragraph of under 35 USC §112 as being indefinite. Independent claims 1, 4, 7, and 10-11 have been amended in response to this rejection. Accordingly, withdrawal of this 35 USC §112 rejection is respectfully requested.

Claims 1-11 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 3, 6 and 9 of US Patent 6,339,458 to Ohkawa.

The claims of the present application provide an emission face with a plurality of light scattering elements distributed according to a predetermined pattern such that a covering density of said light scattering elements on the emission face decreases along the first direction according to a distance from each of the two substantially parallel edges. Specifically, the Examiner's attention is drawn to Figs. 3a, 4, 5, 6, and 7 of the present application and pages 9-10 of the specification, where it is disclosed that light scattering elements 14 are distributed at a relatively large density in corner positions corresponding to electrodes 7A and 7B of the fluorescent lamp 7 and in tapering areas extending therefrom. Furthermore, the graph of Fig. 7 clearly discloses, with the use of lines X1-X1 and X2-X2 that are each parallel to the incidence end face 2a, that the covering density of the light scattering elements decreases toward the center line Y-Y of the emission face in the X direction. In this manner, the claims of the present invention provide improved brightness distribution. In contrast, the claims of Ohkawa refer only to a covering density that decreases according to a distance from an incidence face. Ohkawa makes no mention of increasing the covering density of light scattering elements at respective ends of the incidence face. Therefore, Ohkawa does not disclose that a covering density of light

scattering elements on the emission face decreases along the first direction according to a distance from each of the two substantially parallel edges, as is provided by the claims of the present invention. Accordingly, the claims of the present application are non-obvious in view of the claims of Ohkawa.

Because the claims of the present application and/or the claims of Ohkawa are non-obvious, the obviousness-type double patenting rejection should be withdrawn.

#### **Interview Request**

Applicants respectfully request a telephone interview between Applicants' representative, the undersigned, and the Examiner at the Examiner's earliest convenience, in order to discuss the arguments presented in the current response. The undersigned can be reached by telephone directly at (202) 454-1583.

#### **CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

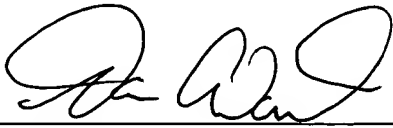
If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 12-10-08

By:   
Aaron C. Walker  
Registration No. 59,921

1201 New York Ave, N.W., 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501